

SALEM PLANNING AND ZONING COMMISSION

REGULAR MEETING

July 19, 2011

7:00

Present: K. Buckley-Chairperson, R. Amato, D. Bingham (arrived at 7:05), E. Burr, R. G. Fogarty, Savalle, V. Smith, G. Walter, M. Chinatti, Town Planner/ZEO, Sue Spang, Recording Secretary

Absent: H. McKenney, Alt., Alt, Vacancy-

Guests See Sign in Sheet

CALL TO ORDER:

K. Buckley called the meeting to order at 7:01 and introduced the members present.

The Commission seated V. Smith for D. Bingham

D. Bingham arrives at 7:05

ADDITIONS TO THE AGENDA: No Additions

PUBLIC HEARING-None

PUBLIC COMMENT-None

OLD BUSINESS

1. SPM #11-06-01, J. Wren, applicant, L. Phillips owner, 20 Hartford Road

M. Chinatti informed the members that the plans for the drive thru at Chelsea Groton have been revised to show existing and new lighting, dumpsters, stoops, mechanicals and whatever else exists there now. She received comments from the Town Engineer and forwarded them on to the applicant. The applicant stated he received those comments from the engineer.

J. Wren, applicant introduced himself and Bob Myer, Vice President, Chelsea Groton Bank and Carmelo Cicero, Solace.

He stated he received the comments in time to address them. He stated one of the two comments was a repeat from the Town Engineer addressing signage on the northwest side for traffic flow. The second comment recommended pushing back the curb. J. Wren stated there are wetlands very close to the curb line. He stated pushing back the curb was beyond the scope of what the bank wanted to do. He suggested an alternative could be to add crosshatching to the pavement in an area 10 feet by 40 feet so as to designate loading zones. He stated those dimensions were the required area for a designated loading zone which would leave a 12 foot, one way driving lane for the drive thru access.

He addressed the lighting issue which the Commission discussed the previous month. The applicant had a lighting professional visit the site and assess the lighting at the back of the building. He stated there are six existing lights, they are older fixtures, some work and some do not. He is proposing replacing those lights with newer more efficient, full cut off fixtures, as well as adding two new lights on the northern end of the building.

R. Amato asked if the owners had been advised of the new plans.

J. Wren stated they submitted a letter from the owner giving authorization for work in order to get approval for the ATM drive thru. He stated they are not proposing any physical changes to the property and what they are proposing are improvements.

G. Walter stated it was his experience that delivery truck drivers will park as close to the door as possible, they may not want to use the designated loading area.

J. Wren stated that if the application was approved it could be a condition of approval that trucks had to park in the loading zones or it would be a zoning violation which the Town would address.

G. Fogarty asked how the dumpsters are emptied.

J. Wren stated it depends on the truck; some are emptied by a front loading system and some by the back. If it was a front loading truck they would come in from the south side the same as the cars accessing the drive thru. The back loading trucks would have to come in from the north which would be going the wrong way on a one way access.

G. Fogarty asked if the businesses have been advised of the plans.

M. Chinatti stated there is no requirement to notify the businesses

J. Wren stated they could send a letter to businesses explaining the directional traffic, loading zones, lighting and any other changes. He admitted it was less than an ideal situation in the back of the building but, what was being proposed is an overall improvement.

R. Amato asked how much money is being invested in the project.

B. Myers thought it was between \$30,000 and \$35,000 for the upgrade.

R. Amato stated that it seemed as though they were trying too hard to make the alley entrance work and wondered how much more a free standing, detached ATM would cost.

D. Bingham thought the new plan addresses many of the issues that came to light at the last meeting, he did not think the traffic volume would be that great and he has no problem with the plan as presented.

J. Wren stated that accidents happen when there is confusion and the signage will alleviate the confusion. If someone chooses not to follow the rules or signs the liability is on them.

G. Walter suggested putting the dumpsters in the recessed area of the alley way.

J. Wren stated he thought that was the original purpose but he thinks the dumpsters will migrate out with time.

K. Buckley asked if the Commission had enough information to make a decision.

M. Chinatti stated she would like to see the plan modified to show the loading zone, directional signage, and any other signage etc. so the Town Engineer can review.

The Commission would like to see the business owners made aware of the changes that are being proposed.

E. Burr stated he would like to see a letter from one dumpster operator that this plan works for him(dumpster operator). He would also like a letter from one delivery man saying that it would be alright with him that he carries all his

deliveries across the street when it is snowing and up the stairs to the store. Just so it is clear that the plan is viable.

K. Buckley stated that the regulations allow them to consider safety issues but that she does not think they allow the Commission to regulate people's behavior.

M. Chinatti stated the Commission does not have broad ability to request from an enterprise an agreement. If a plan meets all the safety, health and welfare issues, and the regulations the Commission has to approve.

B. Myers stated that the owner of the property will be notified after approval of the site plan modification and then they will have to get permission from the owner(s) to go forward with the work.

E. Burr wanted to know if the original site plan included an access way on the back of the building.

J. Wren stated that the owners probably did not know who the tenants were going to be, but he thought there would have to be a site plan modification done at some point to allow access along the back side of the building for a drive up window.

K. Buckley asked the Commission if they were in agreement that it would take one more iteration of the plan in order to make a decision.

M/S/C (Burr/Amato) to table SPM #11-06-01, J. Wren applicant, L. Phillips owner, 20 Hartford Road until the next meeting. Vote: Approved Unanimously

2. Digital Zoning Map

K. Buckley reminded the members that Eric Belt came to the Commission a few months ago to introduce the Digital Zoning Map. She stated the map does not represent any zoning changes, it is to get the map into a digital format. She praised all the work E. Belt had done on the map and acknowledged the time and effort he has put into the project. She stated the only new item put into the digital map is the Riparian Corridor Overlay Zone (RCOZ). She stated there are decisions that have to be made by the members where some discrepancies between the old map and the proposed digital map cannot be reconciled. She stated E. Belt will take them through those areas and explain what he did and why. It will be up to

the Commission to accept the rational or not. She stated the digital map will have to go to a Public Hearing.

E. Belt presented the proposed Digital Map and the areas of concern (See File Copy). He informed the Commission how he created the proposed Digital Map by overlaying the digital parcel map onto the old paper zoning map. He stated he got most of the features of the maps to line up except for a few areas of interest which he will explain to the members. He went over the handout page by page explaining the problem, how he resolved it, and asked the members for their opinions and questions on each area of concern.

M. Chinatti's only concern was the properties on Gardner Lake, she was not sure if those properties actually owned any of the lake bed.

K. Buckley asked her to research the two other towns with properties on Gardner Lake.

K. Buckley stated that the Commission will stick with E. Belts recommendations for now unless someone comes up with a reason to change it.

M. Chinatti stated Regionally Planning Agencies as well as abutting towns will have to be notified before the Public Hearing.

(D. Bingham leaves at 8:56)

It was noted that there was more work to be done as regards the proposed Digital Map before presenting to the Public Hearing. A possible October date for the Public Hearing was discussed.

The Commission discussed notifying landowners whose properties are part of the areas of concern. It was the consensus of the Commission to notify those land owners by letter even though the regulations only require a legal notice (2) in the paper.

NEW BUSINESS-None

ENFORCEMENT OFFICERS REPORT

M. Chinatti informed the members that the Inland Wetlands & Conservation Commission approved the Chelsea Groton drive thru ATM.

M. Chinatti reported that the Carriage House Museum on New London Road also has a production company. She contacted the owner to come in with a site plan modification for the museum and a home occupancy application for the production company. The owner will be coming in to talk to her, the Building Inspector, Sanitarian, and Fire Marshal.

On Route 82, the antique shop was compromised over the winter due to snow loads. The owner applied for a zoning permit to shore up the building and replace the roof rafters. The owner modified the roof line which created a zoning violation. According to the A-2 survey on file, the building is 40 feet from the front property line, 50 feet is required, by modifying the roof line it created a violation. M. Chinatti sent a letter advising that the owner had to go before the Zoning Board of Appeals for a variance.

APPROVAL OF MINUTES-June 21, 2011 Regular Meeting, June 28, 2011 Regular Meeting

M/S/C (Buckley/Burr) to approve the June 21, 2011 Regular Meeting Minutes as amended:

Page 2, ¶ 2, change to: *...the opinions to C. Dutch they the clients have abandoned.*

Vote: Approved Unanimously

M/S/C (Buckley/Fogarty) to approve the June 28, 2011 Regular Meeting Minutes as presented. Vote: Approved Unanimously

EXECUTIVE SESSION- None

CORRESPONDENCE: None

ADJOURNMENT: M/S/C (Fogarty/Walter) to adjourn at 9:10PM. Vote: Approved Unanimously

Respectfully Submitted,

Sue Spang

Recording Secretary